

August 17, 2012

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
August 17, 2012

- I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS
  
- II. PRESENT
  
- III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JULY 20, 2012  
  
**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JULY 20, 2012?**

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	134.....	11
Agriculture .....	394.....	16
Arts Council .....	18.....	2
Capitol Development Board.....	43.....	0
Central Management Services.....	1,568.....	114
Children and Family Services .....	2,888.....	50
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	387.....	68
Commerce Commission .....	73.....	0
Corrections.....	11,219.....	105
Criminal Justice Authority .....	59.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	86.....	6
Employment Security.....	1,772.....	27
Environmental Protection Agency.....	837.....	16
Financial & Professional Regulation.....	452.....	42
Gaming Board.....	141.....	5
Guardianship and Advocacy .....	102.....	7
Healthcare and Family Services .....	2,064.....	25
Historic Preservation Agency.....	167.....	11
Human Rights Commission.....	14.....	2
Human Rights Department.....	137.....	8
Human Services .....	12,259.....	77
Illinois Sentencing Policy Advisory Council.....	2.....	2
Insurance .....	251.....	13
Investment Board .....	2.....	1
Juvenile Justice.....	1,202.....	21
Labor.....	92.....	11
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd. ....	17.....	2
Lottery.....	149.....	7
Military Affairs .....	121.....	3
Natural Resources .....	1,140.....	28
Pollution Control Board .....	20.....	1
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	28.....	1
Public Health.....	1,073.....	41
Racing Board.....	2.....	1
Revenue.....	1,625.....	51
State Fire Marshal .....	128.....	12
State Police.....	1,165.....	5
State Police Merit Board .....	5.....	1
State Retirement Systems.....	94.....	2
Transportation .....	2,223.....	0
Veterans' Affairs.....	1,258.....	9
Workers' Compensation Commission.....	135.....	8
<b>TOTALS .....</b>	<b>45,609.....</b>	<b>823</b>

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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**C1. Illinois Department on Aging – Proposed Exemption (continued from July 20, 2012 meeting)**

Position Number	40070-47-00-000-10-01
Position Title	Senior Public Service Administrator
Bureau/Division	Executive
Functional Title	Senior Policy Advisor
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Cook County

**C2. Illinois Department on Aging – Proposed Exemption (continued from July 20, 2012 meeting)**

Position Number	40070-47-30-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Home and Community Services
Functional Title	Deputy Division Manager
Incumbent	Vacant
Supervisor	Division Manager, who reports to the Deputy Director, who in turn reports to the Director
Location	Sangamon County

**CMS Recommendation:** “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**D. Illinois Department of Human Services – Proposed Exemption (continued from July 20, 2012 meeting)**

Position Number	40070-10-12-200-00-29
Position Title	Senior Public Service Administrator
Bureau/Division	Assistant Secretary’s Office
Functional Title	Manager, Latino Worker Safety & Immigration Policy
Incumbent	Vacant
Supervisor	Assistant Secretary who reports to the Secretary
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E. Illinois Department of Employment Security – Proposed Exemption**

Position Number	40070-44-00-600-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Information Strategy Director
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**F. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption**

Position Number	40070-13-20-400-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Financial Institutions
Functional Title	Credit Union Program Supervisor <sup>1</sup>
Incumbent	Vacant
Supervisor	Director of the Division of Financial Institutions who reports to the Secretary
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**G. Illinois Gaming Board – Proposed Exemption**

Position Number	40070-50-69-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Licensing Division
Functional Title	Licensing Coordinator
Incumbent	Robert Burke
Supervisor	Gaming Board Administrator
Location	Cook County

**CMS Recommendation:** “This position meets the reporting criteria of the Commission Rules and considering the similarities of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

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<sup>1</sup> This position was rescinded on May 21, 2012 because of extended vacancy.

**H. Illinois Historic Preservation Agency – Proposed Exemption**

Position Number	40070-48-50-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Abraham Lincoln Presidential Library and Museum (ALPLM), Director’s Office
Functional Title	Director of Security <sup>2</sup>
Incumbent	Vacant
Supervisor	ALPLM Director who reports to the Agency Director
Location	Sangamon County

**CMS Recommendation:** “This position meets the reporting criteria of the Commission Rules and considering the similarities of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**I. Illinois Department of Human Services – Proposed Exemption**

Position Number	40070-10-00-510-00-29
Position Title	Senior Public Service Administrator
Bureau/Division	Chief Operations Office
Functional Title	Director of the Community Service Enterprise Program (CSEP)
Incumbent	Vacant
Supervisor	Chief Operations Officer who reports to the Assistant Secretary who reports to the Secretary
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**J. Illinois State Board of Investment – Proposed Exemption**

Position Number	40070-50-95-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Chief Information Office
Functional Title	Chief Information Officer
Incumbent	Vacant
Supervisor	Executive Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

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<sup>2</sup> This position was rescinded on November 18, 2011 because of extended vacancy.

**K. Illinois Sentencing Policy Advisory Council – Proposed Exemption**

Position Number	40070-50-04-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Research
Functional Title	Research Director
Incumbent	Vacant
Supervisor	Executive Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**L. Illinois State Police – Proposed Exemption**

Position Number	40070-21-12-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administration
Functional Title	Administrative Services Bureau Chief / Chief Fiscal Officer <sup>3</sup>
Incumbent	Vacant
Supervisor	Colonel, Division of Administration who reports to the Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**M. Illinois Dept. of Children & Family Services – Proposed Exemption**

Position Number	40070-16-65-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Policy and Advocacy
Functional Title	Chief, Office of Child and Family Policy
Incumbent	Vacant
Supervisor	Deputy Director of Policy and Advocacy who reports to the Chief of Staff, who in turn reports to the Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

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<sup>3</sup> This position was rescinded on May 18, 2012 because of extended vacancy.

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

- C1: Senior Policy Advisor (Aging)**
- C2: Deputy Division Manager (Aging)**
- D: Manager, Latino Worker Safety & Immigration Policy (Human Services)**
- E: Information Strategy Director (Employment Security)**
- F: Credit Union Program Supervisor (Financial & Professional Regulation)**
- G: Licensing Coordinator (Gaming Board)**
- H: Director of Security-ALPLM (Historic Preservation Agency)**
- I: Director, Community Service Enterprise Program (Human Services)**
- J: Chief Information Officer (Illinois State Board of Investment)**
- K: Research Director (Illinois Sentencing Policy Advisory Council)**
- L: Administrative Services Bureau Chief / CFO (Illinois State Police)**
- M: Chief, Office of Child and Family Policy (Children & Family Services)**

V. CLASS SPECIFICATIONS

- None submitted.

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?**

VI. MOTION TO CLOSE A PORTION OF THE MEETING

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

VII. RECONVENE THE REGULAR OPEN MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

<b>Agency</b>	<b>6/30/12</b>	<b>7/31/12</b>	<b>7/31/11</b>
Aging	1	2	1
Agriculture	0	1	5
Arts Council	1	1	0
Central Management Services	0	1	3
Children and Family Services	8	10	6
Commerce & Economic Opportunity	0	0	1
Employment Security	1	1	25
Healthcare and Family Services	3	4	5
Historic Preservation Agency	0	0	6
Human Rights Department	1	1	0
Human Services	2	0	12
Natural Resources	1	7	20
Property Tax Appeal Board	0	0	13
Revenue	0	2	1
State Fire Marshal	0	0	1
Transportation	0	4	1
Veterans' Affairs	0	0	1
Workers' Compensation Commission	0	0	2
<b>Totals</b>	18	34	103

IX. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

**DA-35-12**

Employee	Joan Lemus	Appeal Date	12/12/11
Agency	Veterans' Affairs	Decision Date	08/07/12
Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; settled.

**DA-51-12**

Employee	Karen J. Luparell	Appeal Date	4/16/12
Agency	Environmental Protection Agency	Decision Date	8/03/12
Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; settled.

**DA-54-12**

Employee	James L. Long	Appeal Date	6/07/12
Agency	Corrections	Decision Date	7/16/12
Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; settled.

**DA-55-12**

Employee	Tina M. Graham	Appeal Date	6/22/12
Agency	Veterans' Affairs	Decision Date	7/16/12
Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?**

X. AMENDMENT TO THE PERSONNEL RULES

**Section 303.112 Sick Leave Bank**

a) This Section contains rules governing the operation of plans allowing participating employees in each ~~agency~~Agency to bank portions of their accrued sick leave in a sick leave bank to be used by participating employees in the same agency who have exhausted their accrued vacation time, personal days, sick leave or compensatory time. ~~This Section provides~~These rules provide a framework within which each ~~agency~~Agency may administer a sick leave bank. Individual ~~agency~~Agency procedures should be consistent with the framework set forth in ~~this Section~~these rules unless alternative procedures have been agreed upon pursuant to collective bargaining negotiations.

b) Definitions

1) "Agency" means any branch, department, board, committee or commission of State government, but does not include units of local government, school districts or boards of election commissioners [5 ILCS 400/5.10].

- 2) *"Sick leave bank" means a depository into which participating employees may donate accrued sick leave time for allocation to other participating employees [5 ILCS 400/5.15].*
  - 3) *"Participating employee" means a permanent full- or part-time employee who has been employed by a State agency for a period of 6 months or more who voluntarily enrolls in the sick leave bank by depositing at least one full day of accrued sick leave in that bank [5 ILCS 400/5.20]. An employee who wishes to enroll must have a minimum of 5 days of accrued sick time on the books.*
  - 4) *"Catastrophic illness or injury" means temporary disability or incapacity resulting from a life threatening illness or injury or illness or injury of other catastrophic proportion as determined by the Director. Factors considered by the Director shall include the length of time the employee must be absent from work due to illness or injury. Catastrophic illness or injury may be due to, but not limited to, cancer, heart disease, stroke or another serious illness or injury resulting in an employee missing more than 25 work days.*
  - 5) *"Personal catastrophic illness or injury" means a catastrophic illness or injury to the employee or, if agreed upon by the ~~agency head~~Agency-Head and the Director, members of the employee's immediate family. Factors to be considered in determining if an employee's immediate family members are covered include the nature and duration of the catastrophic illness or injury; whether the person is financially and emotionally dependent on the employee; whether the presence of the employee is needed; and whether the individuals are covered pursuant to collective bargaining negotiations. Immediate family shall mean spouse, civil union partner, child, parent or any person living in the employee's household for whom the employee has custodial responsibility.*
- c) Participation in the sick leave bank is voluntary on the part of any employee. Employees wishing to participate must be permanent full-time or part-time employees with a minimum of 6 months of service.
  - d) *A participating employee may deposit into the sick leave bank as much accrued sick leave as desired provided that the participating employee shall retain in his or her own account at least 5 sick days [5 ILCS 400/10(b)].*
  - e) Employees may voluntarily enroll at any time. Employees shall wait 60 calendar days after enrollment before utilizing the sick leave bank.
  - f) An employee may use up to 25 work days from the sick leave bank per 12-month period, except that participating employees shall not use sick leave accumulated in the sick leave bank until all of their accrued vacation, personal days, sick leave

and compensatory time have been used. The Director may approve limits of other than 25 work days per 12-month period. Factors considered in determining if an alternate limit should be approved include:

- 1) the personnel jurisdiction governing the agencyAgency and employees in question;
  - 2) whether limits have been established through collective bargaining negotiations;
  - 3) the desire for uniformity among agencyAgency plans;
  - 4) operational needs of the agencyAgency.
- g) Any sick leave in the sick leave bank used by a participating employee shall be only for the personal catastrophic illness or injury of the employee and may not be transferred, returned or used for any other purpose.
- h) Each State agency shall develop procedures, consistent with this Section, for establishing a single sick leave bank for all agency employees.
- i) Injuries and illnesses that are compensable under the Workers' Compensation Act [820 ILCS 305] or Workers' Occupational Disease Act [820 ILCS 310] shall not be eligible for sick leave bank use.
- j) *Participating employees who transfer from one agency to another may transfer their participation in the sick leave bank [5 ILCS 400/10(f)].*
- k) An employee shall not be eligible to withdraw the sick leave time he or she has contributed to the bank.
- l) Decisions affecting a participating employee's use of the sick leave bank may be submitted by the employee to a review committee. Unless otherwise approved by the Department, the committee shall consist of one agencyAgency representative and two Department representatives. In determining if alternative committee membership should be approved, the Department shall consider the jurisdiction governing the agencyAgency or employees in question. Decisions of review committees shall be final and binding.
- m) *Any abuse of the use of the sick leave bank shall be investigated by the agency and the Department, and upon a finding of wrongdoing on the part of a participating employee, that employee shall repay all sick leave days drawn from the sick leave bank and shall be subject to other disciplinary action [5 ILCS 400/10(h)].*

### Section 303.131 Leave in the Event of a Stillborn Child

All employees who provided proof of their pregnancy or that of their female partner at least 30 days prior to the expected due date will be eligible for 4 weeks (20 work days) of paid leave in the event of a full-term stillborn child. The State shall require proof of a stillbirth, such as a fetal death certificate or certificate of stillbirth. This leave shall be limited to ~~one~~ leave per family or civil union partnership for each stillbirth. In addition, non-married male employees may be required to provide proof of paternity.

### Section 303.148 Family Responsibility Leave

- a) An employee who wishes to be absent from work in order to meet or fulfill responsibilities, as defined in subsection (f), arising from the employee's role in his or her family or as head of the household will normally, upon request and in the absence of another more appropriate form of leave, be granted a Family Responsibility Leave (FRL) for a period not to exceed one year. Employees shall not be required to use any accumulated benefit time prior to taking ~~FRL Family Responsibility Leave~~. Such request shall not be unreasonably denied. The agency head will consider whether the need for the ~~FRL family responsibility leave~~ is substantial, whether the action is consistent with the treatment of other similar situations and whether the action is equitable in view of the particular circumstances prompting the request.
- b) Any request for ~~FRL such leave~~ shall be submitted in writing by the employee not less than 15 calendar days in advance of the leave unless such notice is precluded by emergency conditions and shall state, stating the purpose of the leave; and the expected duration of absence.
- c) ~~FRL Such leave~~ shall be granted only to a permanent full-time employee, except that an intermittent employee shall be non-scheduled for the duration of the required leave. An employee in temporary, emergency, provisional; or trainee status shall not be granted ~~FRL such leave~~.
- d) "Family ~~responsibility~~ Responsibility", for purposes of this Section, is defined as the duty or obligation perceived by the employee to provide care, full-time supervision, custody or non-professional treatment for a member of the employee's immediate family or household *under circumstances temporarily inconsistent with uninterrupted employment in State service*: [20 ILCS 415/8c(5)].
- e) "Family" has the customary and usual definition for this term for purposes of this Section, that is:
  - 1) group of 2 or more individuals living under one roof, having one head of the household and usually, but not always, having a common ancestry, and including the employee's spouse or civil union partner;

- 2) ~~thesuch~~ natural relation of the employee, even though not living in the same household, as parent, sibling or child; or
  - 3) adoptive, custodial and in-law individuals when residing in the employee's household or any relative or person living in the employee's household for whom the employee has custodial responsibility or ~~personswhere-such person-is~~ financially and emotionally dependant on the employee ~~whenand where~~ the presence of the employee is needed, but excluding persons not otherwise related of the same or opposite sex sharing the same living quarters but not meeting any other criteria for family.
- f) Standards for granting a Family Responsibility Leave are:
- 1) to provide nursing (breastfeeding) and/or custodial care for the employee's newborn infant, whether natural born or adopted;
  - 2) to care for a temporarily disabled, incapacitated or bedridden resident of the employee's household or member of the employee's family;
  - 3) to furnish special guidance, care or supervision of a resident of the employee's household or a member of the employee's family in extraordinary need ~~of that guidance, care or supervisionthereof~~;
  - 4) to respond to the temporary dislocation of the family due to a natural disaster, crime, insurrection, war or other disruptive event;
  - 5) to settle the estate of a deceased member of the employee's family or to act as conservator, if so appointed, ~~when-and~~ providing the exercise of ~~thosesuch~~ functions precludes the employee from working; or
  - 6) to perform family responsibilities consistent with the intention of this Section but not otherwise specified.
- g) The agency shall require substantiation or verification of the need by the employee for ~~FRLsuch leave. The,-the~~ substantiation or verification shall be consistent with and appropriate to the reason cited in requesting the leave, such as:
- 1) a written statement by a physician or medical practitioner licensed under the Medical Practice Act of 1987 [225 ILCS 60] or under similar laws of Illinois or of another state or country or by an individual authorized by a recognized religious denomination to treat by prayer or spiritual means. ~~The,-such~~ verification ~~shallto~~ show the diagnosis, prognosis and expected duration of the disability requiring the employee's presence;

- 2) written report by a social worker, psychologist, or other appropriate practitioner concerning the need for close supervision or care of a child or other family member;
  - 3) written direction by an appropriate officer of the courts, a probation officer or similar official directing close supervision of a member of the employee's household or family; or
  - 4) an independent verification substantiating ~~that~~ the need for ~~FRL~~ ~~such leave~~ ~~exists~~.
- h) ~~FRL~~ ~~Such leave~~ shall not be renewed; however, a new leave shall be granted at any time for any reason consistent with subsection (f) other than that for which the original leave was granted.
  - i) If an agency has reason to believe that the condition giving rise to the given need for ~~FRL~~ ~~such leave~~ no longer exists during the course of the leave, it should require further substantiation or verification and, if appropriate, direct the employee to return to work on a date certain.
  - j) Failure of an employee, upon request by the employing agency, to provide ~~required~~ ~~such~~ verification or substantiation is cause, ~~with-on~~ due notice, for termination of the leave.
  - k) ~~FRL~~ ~~Such leave~~ shall not be used for purpose of securing alternative employment. An employee, during ~~FRL~~ ~~such leave~~ may not be gainfully employed full time, otherwise the leave shall terminate.
  - l) Upon expiration of ~~a FRL~~ ~~a Family Responsibility Leave~~, or, prior to ~~such~~ expiration, by mutual agreement between the employee and the employing agency, the agency shall return the employee to the same or similar position classification that the employee held immediately prior to the commencement of the leave. If ~~such a position~~ ~~there~~ is not ~~such position~~ available, the employee will be subject to layoff in accordance with 80 Ill. Adm. Code 302.Subpart J (Voluntary Reduction, ~~Transfer~~ and ~~Layoffs~~ ~~Layoff~~).
  - m) Nothing in this Section shall preclude the reallocation or abolition of the position classification of the employee during ~~FRL~~ ~~such leave~~ nor shall the employee be exempt from 80 Ill. Adm. Code 302.Subpart J (~~Voluntary Reduction and Layoff~~) by virtue of ~~FRL~~ ~~such leave~~.
  - n) The State shall continue payment of its portion of employee and dependent health and dental insurance premiums for up to 6 months while an employee is on a Family Responsibility Leave consistent with the Federal Family and Medical Leave Act of 1993 (29 USC 2601 et seq.) and subsections (f)(1), (2) and (3) of this Section. For leaves defined by subsections (f)(4), (5) and (6) of this Section, the State shall not continue payment of its portion of employee and dependent health and dental insurance premiums.

### Section 303.250 Vacation Eligibility

- a) Employees, except emergency and temporary employees, shall earn vacation time. No employee on leave of absence may earn vacation except when the leave was for the purpose of accepting a temporary working assignment in another class.
- b) Eligible employee shall earn vacation time in accordance with the following schedule:
  - 1) From the date of hire until the completion of 5 years of continuous service: 10 workdays per year of employment.
  - 2) From the completion of 5 years of continuous service until the completion of 9 years of continuous service: 15 workdays per year of employment.
  - 3) From the completion of 9 years of continuous service until the completion of 14 years of continuous service: 17 workdays per year of employment.
  - 4) From the completion of 14 years of continuous service until the completion of 19 years of continuous service: 20 workdays per year of employment.
  - 5) From the completion of 19 years of continuous service until the completion of 25 years of continuous service: 22 workdays per year of employment.
  - 6) From the completion of 25 years of continuous service: 25 workdays per year of employment.
- c) Vacation time shall be earned in workdays and computed in hours. After an employee's earned vacation time has been so computed, if there remains a fractional balance of ½ hour or less, the employee shall be deemed to have earned vacation time of ½ hour in lieu of the fractional balance. ~~If;~~ if there remains a fractional balance of more than ½ hour, the employee shall be deemed to have earned a full hour of vacation time in lieu of a fractional balance.
- d) Computation of vacation time of State employees who have interrupted continuous State service shall be determined as though all previous State service that qualified for earning of vacation benefits is continuous with present service. This subsection (~~de~~) applies to vacation time earned on or after October 1, 1972.

XI. MEETING SCHEDULE FOR 2013 AND CONSIDERATION OF CHANGING THE START TIME OF MEETINGS HELD IN CHICAGO FOR 2013

**WILL THE COMMISSION APPROVE THE FOLLOWING AS ITS MEETING SCHEDULE FOR 2013?**

January 18, 2013	Chicago	July 19, 2013	Chicago
February 15, 2013	Chicago	August 16, 2013	Chicago
March 15, 2013	Chicago	September 20, 2013	Chicago
April 19, 2013	Chicago	October 18, 2013	Chicago
May 17, 2013	Springfield	November 15, 2013	Springfield
June 21, 2013	Chicago	December 20, 2013	Chicago

**WILL THE COMMISSION CONSIDER CHANGING THE START TIME OF CHICAGO MEETINGS FOR 2013?**

XII. PROPOSED REVISIONS TO CIVIL SERVICE COMMISSION RULES

**WILL THE COMMISSION APPROVE THE PROPOSED REVISIONS TO THE CIVIL SERVICE COMMISSION RULES?**

XIII. STAFF REPORT

XIV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held on Friday, September 21, 2012 at 11:00 a.m. in the Commission's Chicago office.**

XV. MOTION TO ADJOURN